

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE — There are four Extraordinary issues to the Official Gazette, Series II No. 3 dated 20-4-95 as follows: —

- 1) Extraordinary dated 20-4-95 from pgs. 21 to 22 regarding Notification from Finance (Revenue & Control) Dept.
- 2) Extraordinary No. 2 dated 20-4-95 from pgs. 23 to 32 regarding Notification from Revenue Department (Directorate of Municipal Administration).
- 3) Extraordinary No. 3 dated 21-4-95 from pgs. 33 to 34 regarding Notification from Legislature Secretariat.
- 4) Extraordinary No. 4 dated 25-4-95 from pgs. 35 to 36 regarding Addendum from Revenue Department.

GOVERNMENT OF GOA

Department of Personnel

Notification

No. 8/2/93-FOR

Read: Notification No. 8/2/93-FOR dated 31-3-94.

The names of Shri Pratapsingh Raoji Rane, M.L.A., Poriem Chairman and Shri Mohan Amshekar, M.L.A., Sanvordem Member appearing at Sl. Nos. (2) & (3) respectively in the Government Notification referred to above shall be substituted to read as follows: —

- (2) Shri Luis Alex Cardozo, Minister of State for Forest — Vice-Chairman.
- (3) Shri Vishnu Prabhu, M.L.A. Sanvordem — Member.

By order and in the name of the Governor of Goa.

B. N. Bhat, Under Secretary (Personnel).

Panaji, 18th April, 1995.

Education Department

Order

No. 16/13/92/EDN-part

The ad-hoc appointment of Shri Umesh Bapat, Lecturer in Computer Engineering, Goa College of Engineering, Farmagudi is hereby extended for a further period of six months w.e.f. 20-3-1995 or till the post is filled up on regular basis, whichever is earlier, on the same terms & conditions.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Education).

Panaji, 13th April, 1995.

Department of Cooperation

Office of the Registrar of Coop. Societies

Order

No. 1-3-71/EST(B)

Government is pleased to promote on ad-hoc basis Shri C. D. Gaude, Special Auditor/Coop. Officer, in the office of the Registrar of Cooperative Societies to the post of Assistant Registrar Group 'B' Gazetted in the pay scale of Rs. 2000-3500 and post him on deputation initially for a period of 6 months in the Goa State Coop-Housing Finance & Federation Ltd., as Secretary on usual terms and conditions of deputation from the date of taking over the charge.

The appointment is for a period of 6 months and purely on ad-hoc basis and it will not bestow on the appointee any claim for regular appointment/promotion to the higher post and seniority.

By order and in the name of the Governor of Goa.

S. S. Byali, Registrar of Coop. Societies and Ex-Officio Jt. Secretary.

Panaji, 18th April, 1995.

Transport Department

Order

No. 7/30/89-IWT

Read: 1) Government Order No. 7/30/89-IWT dated 24-8-93, 19-7-94 and 26-8-94.

Government is pleased to extend the ad-hoc appointment of Shri V. N. Rajabhosale to the post of Senior Workshop Superintendent in the Marine Workshop Betim under Captain of Ports, River Navigation Department, Panaji for further period of 6 months with effect from 24-2-1995 or till the post is filled on regular basis, whichever is earlier on the same terms and conditions with the approval of G. P. S. C. conveyed vide their letter No. COM/II/11/4(1)/94 dated 7-4-95.

By order and in the name of the Governor of Goa.

Celina Dias e Caldeira, Under Secretary (Transport).

Panaji, 13th April, 1995.

Revenue Department

Order

No. 4-4-3-84-LAWD

In terms of Sub-Section 2 (1) of Section 4 of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975), the following shall be the members of the Goa Town and Country Planning Board with immediate effect:

- 1) Prof. Surendra V. Sirsat,
M. L. A., Mapusa.
- 2) Smt. Fatima D'Sa,
M. L. A., Aldona.

By order and in the name of the Governor of Goa.

E. A. Cardozo, Under Secretary (Revenue).

Panaji, 21st April, 1995.

Notification

No. 22/93/94-RD

Whereas by Government Notification No. 22/93/94-RD dated 11-11-1994 published on pages 529 to 530 of Series II, No. 33 (Extraordinary) of the Official Gazette dated 18-11-1994 and in two newspapers (1) Herald dated 18-11-1994 and (2) Rashtramat dated 18-11-1994 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was likely to be needed for public purpose, viz. Construction of new Railway broad gauge line between Roha and Mangalore in Davorlim Village of Salcete Taluka (addl. area.)

And whereas, the Government of Goa (hereinafter referred to as the "Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act take possession of the said land.

Now, therefore, the Government hereby declares under the provisions of section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints under clause (c) of section 3 of the said Act, the Special Land Acquisition Officer, Konkan Railway Corporation Ltd., Amey Guest House, Davorlim, Navelim, Margao-Goa, to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Special Land Acquisition Officer, Konkan Railway Corporation Ltd., Amey Guest House, Davorlim, Navelim, Margao-Goa, till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Davorlim

Survey No./ Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
62/6 part	O: Comunidade. T: Joao Borges.	450
50/27 part	O: Comunidade. T: Joaquina Furtado.	76
51/34 part	O: Comunidade. T: Maria Dias.	03
51/35 part	O: Comunidade. T: Antoni Miranda.	10

1	2	3
80/15 part	O: Comunidade of Aquem. T: Asumtion Andre.	500
80/16	O: Comunidade of Aquem. T: Shashi Tucaram Kundaiker.	1775
79/5	O: Comunidade. T: Sebastiao Miranda.	1775
78/2 part	O: Comunidade. T: Caitano Costa.	125
78/3 part	O: Comunidade. T: Joao Gomes.	125
78/4 part	O: Comunidade. T: Luis Colaco.	100
78/5 part	O: Comunidade. T: Manuel Colaco.	175
78/6 part	O: Comunidade. T: Custodio Dias.	132
78/7 part	O: Comunidade. T: Caitano Colaco.	180
78/8 part	O: Comunidade.	40
78/9 part	O: Comunidade. T: Caitano Colaco.	133

Boundaries:

North: S. No. 80/15, 79/3, 4, 78/
/1 to 10, 50/24, 51/32 & 33 and
Railway line.

South: Railway line, S. No. 50/
/27, 51/34 & 35.

East: S. No. 78/0, 62/7, 51/1 &
5.

West: Margao City, S. No. 62/5,
16, 17, 20, 50/6, 51/2.

Total 5599

By order and in the name of the Governor of Goa.

E. A. Cardozo, Under Secretary (Revenue).

Panaji, 20th April, 1995.

Office of the Collector (North)
Civil Administration Branch

Order

No. 3/75/94-CAB/DEV/B.L./173

Read:— Government letter No. 3/2/94-RD dated 9-3-1995.

The Government under the powers vested on them under Article 18 of the Devasthan Regulation is pleased to appoint the below named persons as members of the Special Committee to frame the Bye-Laws of Devalayas Shree Gopal Ganapati, Farmagudi, Ponda Goa.

EFFECTIVE MEMBERS:

- | | |
|---------------------------------------|-------------|
| 1. Smt. Shashikala Gurudatta Kakodkar | — President |
| 2. Shri Gajanan Vasu Raikar | — Treasurer |
| 3. Shri Suresh Vithal Ramnathkar | — Attorney |
| 4. Shri Gurudas Mukund Gaude | — Secretary |

SUBSTITUTE MEMBERS:

- | | |
|--------------------------------|-------------|
| 1. Shri Jayant Pandu Naik | — President |
| 2. Shri Sanjay Mangesh Naik | — Treasurer |
| 3. Shri Kashinath Narayan Naik | — Attorney |
| 4. Shri Gurudas Mukund Gaude | — Secretary |

The above Committee shall submit the draft Bye-Laws to the Government within a period of six months from the date of publication of this order in the Official Gazette. The procedure laid down in the Articles 17 & 18 of the Devasthan Regulation as amended by the Legislative Diploma No. 1898 dated 29-5-1959 and the Government directions contained in the Revenue Department letter No. RD/END/116-71-II dated 27-7-1971 are to be followed to frame Bye-Laws.

The above Committee is also entrusted with Management of the said Devalaya until the Bye-Laws are approved and published.

Jose Philip, Collector and DCA (North).

Panaji, 22nd March, 1995.

Public Health Department

Order

No. 4-10-92-I/PHD (2)

Read: — Government order No. 4-10-92-I/PHD (2) dated 10-2-1995.

In partial modification of the Government Order No. 4-10-92-I/PHD (2) dated 10-2-1995, Dr. Armando Monteiro promoted to the post of Chief Medical Officer under the Directorate of Health Services and posted at Cottage Hospital, Chicalim is hereby transferred and posted as Chief Medical Officer T. B. Hospital, Margao against vacant post thereby Dr. L. A. R. de Costa, Medical Supdt. cum Dy. Director, Hospicio Hospital, Margao is relieved from the additional charge of the post of Chief Medical Officer, T. B. Hospital, Margao.

Dr. Armando Monteiro, Chief Medical Officer shall not be entitled for transfer T. A.

By order and in the name of the Governor of Goa,

Maria A. Rodrigues, Under Secretary (Health).

Panaji, 21st March, 1995.

Industries Department

Order

No. 15-16/80-ILD (Vol. I)

In pursuance of Article 65 of the Articles of Association of the Goa Handicrafts, Rural & Small Scale Industries Development Corporation Ltd., the Government is pleased to reconstitute the Board of Directors as follows namely:—

- | | |
|---------------------------------|----------|
| 1. Mrs. Fatima D'Sa, M. L. A. | Director |
| 2. Mr. Zacarias Goes | " |
| 3. Mr. Udai Madakaikar | " |
| 4. Mr. Oxler Furtado | " |
| 5. Mrs. Smita Bhosle | " |
| 6. Mr. Menino D'Silva | " |
| 7. Mr. Bosco Rodrigues | " |
| 8. Mr. John Raikar | " |
| 9. Mrs. Martha Saldanha | " |
| 10. Managing Director, GHRSSIDC | " |
| 11. Secretary (Industries) | " |
| 12. Nominee of IDBI | " |

The Government is also pleased to appoint Mrs. Fatima D'Sa, M.L.A. as the Chairperson of the Board of Directors of GHRSSIDC.

By order and in the name of the Governor of Goa,

F. O. D'Costa, Under Secretary (Industries).

Panaji, 17th April, 1995.

Department of Labour

Order

No. 28/23/91-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa,

V. G. Manerkar, Under Secretary (Labour).

Panaji, 16th December, 1991.

IN THE INDUSTRIAL TRIBUNAL, GOVERNMENT OF GOA
AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer).

Ref. No. No. IT/30/91

Workmen

— Party I/Workmen

V/s

M/s Venus India Plastics

— Party II/Employer

Panaji, Dated: 16-11-1991.

A W A R D

In exercise of the powers conferred by clause (d) of Sub-Sec. (1) of Sec. 10 of the Industrial Disputes Act, 1947, the Government of Goa by its order No. 28/23/91-LAB dated 27-6-91, has referred the following issue for adjudication by this Tribunal:

SCHEDULE

Whether the following demands raised on the management of M/s Venus India Plastics, Bicholim-Goa, by their workmen represented by the Gomantak Mazdoor Sangh, Ponda-Goa, are justified?

CHARTER OF DEMANDS

Demand No. 1. Scale of Pay: The Union demands that the scale of pay be fixed as under:

Skilled workmen: 750-25-875-30-1175.

Semi Skilled workmen: 650-20-750-25-1000.

Unskilled workmen: 500-18-590-23-820.

Demand No. 2. Variable Dearness Allowance: The Union demands that in view of the rise in prices of essential commodities, the variable dearness allowance, should be paid at the rate of Rs. 1.65/- per point (1960-100) above 700 point.

Demand No. 3. Fixed Dearness Allowance: The Union demands that all the workers shall be paid Fixed Dearness Allowance at the rate of Rs. 250/- per month besides Variable Dearness Allowance.

Demand No. 4. Washing Allowance: The Union demands that all the workers shall be paid washing allowance at the rate of Rs. 20/- per month.

Demand No. 5. Travelling Allowance: The Union demands that all workmen be paid a travelling allowance of Rs. 50/- per month on account of the increase in fares of public transport.

Demand No. 6. Shift Allowance: The Union demands that a night allowance at the rate of Rs. 6/- per shift be paid to the concerned workmen.

Demand No. 7. House Rent Allowance: The Union demands that till such time as the Management provides Housing facilities, House Rent Allowance shall be paid at the rate of 10% of the basic pay.

Demand No. 8. Leave: The Union demands that all workmen be entitled to the following leave facilities:

(1) Earned Leave : 30 days/year (for those workmen who have completed 240 days of service).

(2) Sick Leave: 15 days/year.

(3) Casual Leave : 10 days/year.

Demand No. 9. Uniforms: The Union demands that all the workmen shall be supplied two sets of Uniforms every year.

If not, to what relief the workmen are entitled ?"

2. On receipt of this reference a case at IT No. 30/91 was registered and notices were issued to both the parties. In response to the notice, Party I-workmen appeared before this Tribunal and submitted a statement of claim which is at Exb. 4. It has been averred that Party II-M/s Venus India Plastics, is a partnership concern situated at Bicholim Industrial Estate. The said Company is manufacturing plastic bottles of various sizes and has engaged nearly 25 workmen in its employment. The workers are members of Gomantak Mazdoor Sangh which has sponsored this dispute for claiming additional emoluments. Demand No. 1 is in respect of pay scales and it has been averred that there is no classification of pay scales and the workers are paid consolidated salary with no annual increments. Hence, the union has submitted for the revision of the pay scales. It has been submitted that there is a tremendous rise in the cost of living during the last six

years. The company has earned profits in lakhs. At the same time, the living index at Goa has increased over 975 points (1960-100) which shows clearly the rise of cost of living. Hence they have claimed V.D.A. and their demand in this respect is just and reasonable. According to them V.D.A. up to 700 points should be treated as fixed dearness allowance. They have claimed washing allowance and travelling allowance. It has been averred that the workers have to work during night shifts. In the nearby industries night shift allowance is paid to minimise the hardship and hence they have claimed shift allowance. It has been averred that there are problems of securing residential accommodation at Bicholim and one has to pay exorbitant rents and hence they should be paid H.R.A. Finally, they have also claimed earned leave, sick leave, casual leave and have also demanded that they should be provided with uniforms. Finally, it has been averred that the financial position of Party II-Company is quite sound to accede to the aforesaid demands made by its workers.

3. Although a show cause notice of this application was sent by registered post to the employer-company, still the said notice was returned with a postal remark 'Un-Claimed'. In view of this state of affairs, it clearly seems to be that the employer does not want to contest this dispute and regard been had to the provisions contained in Rule 12-B (9) of the Rules framed under the Industrial Disputes Act, there is no other goal for me, but to proceed ex-parte. Accordingly, on behalf of Party I Mr. Puti G. Gaonkar has been examined.

4. In his evidence at Exb. 5, Shri Puti Goankar has stated that he knows Party II-Company and he is the Secretary of Gomantak Mazdoor Sangh. In that capacity, he has submitted a charter of demands on the basis on which, this reference has been made. He has stated that the union had first moved the Labour Commissioner, but the employer did not participate in the discussions. Hence the failure report was made and then the matter was referred to this Tribunal. He has stated that Party II-Company is doing very good business and is supplying plastic bottles to Ciba Company with whom the company has a permanent contract. It is his say that the workers in this company are getting far less emoluments than what the workers in other companies are getting. The Company's business is flourishing and the workers are working in three shifts. He has stated that the demands which have been made by the workers are quite reasonable and that the company is in a financial position to accede to the workers demands made in the Charter. Now, whatever has been stated by Mr. Puti Gaonkar has remained unchallenged in as much as there was no appearance on behalf of Party II. It may also be recalled that Party II-Company did not appear even before the Labour Commissioner and these two circumstances clearly go to show that the company has no interest in contesting this case.

I, therefore, accept the unchallenged testimony of the Secretary of Gomantak Mazdoor Sangh and hold that the demands made by the workers are quite just and reasonable and hence the workers are entitled to get the benefit of the demands made in the charter from the date on which the demands were first made by the workers to the company. I, therefore pass the following award.

Order

It is hereby declared that the demands made by the workers of Party II-M/s Venus India Plastics, and incorporated in the charter of demands annexed to the schedule, are just and reasonable and hence Party II-M/s Venus India Plastics, Industrial Estate Bicholim, Goa, is hereby directed to pay the benefits of the said demands to its workers from the date on which the charter of demands was submitted to the Company.

No order as to costs.

Inform the Government accordingly about the passing of the award.

Sd/-

(M. A. Dhavale)
Presiding Officer
Industrial Tribunal

Addendum

No. 23/18/88-Lab-Part I

Read: Government Notification No. 23/18/Lab-Part I dated 6-4-1995.

The following is added to Government Notification referred to above:-

Consequently, the Commissioner of Labour shall function as the State Director of Training for Craftsman Training Scheme in the State of Goa, in addition to his own duties until further orders in supersession of the Government Notification No. 23/14/84-LAB dated 25-2-1991.

By order and in the name of the Governor of Goa.

F. O. D'Costa, Under Secretary (Labour).

Panaji, 17th April, 1995.

Law (Establishment) Department

District and Sessions Court, South

Order

No. DSC/MAR/GEL-10/1995/576

Shri V. S. R. Dessai, Civil Judge, Jr. Division and Judicial Magistrate, First Class, Quepem is hereby granted provisionally Leave for 5 days with effect from 6-2-1995 to 10-2-1995 with permission to prefix 5th February, 1995 being Sunday and to suffix 11th and 12th February, 1995 being Second Saturday and Sunday respectively.

On return from the leave Shri V. S. R. Dessai is reposted as Civil Judge, Jr. Division and Judicial Magistrate, First Class, Quepem.

During that above leave period Smt. Manju Sharma, Civil Judge Sr. Division and Judicial Magistrate, First Class, Quepem shall look after the urgent Civil and Criminal work pertaining to the Court of Civil Judge, Jr. Division Judicial Magistrate, First Class, Quepem in addition to her own duties.

Necessary permission to leave Official Headquarters during the aforesaid period is also hereby granted.

R. K. Batta, District & Sessions Judge (South).

Margao, 6th February, 1995.

Order

No. DSC/MAR/GEL-10/1995/961

Read: This Office Order No. DSC/MAR/GEL-10/1995/576 dated 6-2-1995.

Provisional Leave granted to Shri V. S. R. Dessai, Civil Judge, Jr. Division and Judicial Magistrate, First Class, Quepem for 5 days with effect from 6-2-1995 to 10-2-1995 vide this Office Order No. DSC/MAR/GEL-10/1995/576 dated 6-2-1995 be treated as Earned Leave.

After availing the above leave he will have at his credit 145 days of Earned Leave as on 30-6-1995.

R. K. Batta, District & Sessions Judge (South),

Margao, 2nd March, 1995.